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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Alon Nachom

Serial No.: 09/487,354

Filed: January 18, 2000

For: **COMMUNICATION
ENHANCEMENT MEANS**

Examiner: Pierre E. Elisca

Art Group: 3621

APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits, in triplicate, the following Appeal Brief pursuant to 37 C.F.R. § 41.37 for consideration by the Board of Patent Appeals and Interferences. Applicant also submits herewith a check in the amount of \$165.00 to cover the cost of filing the opening brief for a small entity as required by 37 C.F.R. §1.17(c). Please charge any additional amount due or credit any overpayment to the Deposit Account 02-2666.

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I. REAL PARTY IN INTEREST

The real party in interest is Alon Nachom, of Los Angeles, California.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences which will affect or be affected by the outcome of this appeal.

III. STATUS OF THE CLAIMS

Claims 21-50 are pending and rejected in this application. Claims 1-20 have been canceled and form no part of this appeal. Claims 21-50 are appealed herein.

IV. STATUS OF THE AMENDMENTS

No amendment has been filed subsequent to the final rejection.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

The pending claims relate to requesting, obtaining, and displaying information to allow orders for goods and/or services to be placed via the Internet. (Applicant's Abstract)

For example, after a user purchases goods or services identified by a first set of information from a first source (e.g., Site A, such as a web site), a second offer for goods or services may be presented to the user as though originating from the first source (e.g., such as by being presented as if originating from the same web site), although the second offer actually originates from a second different source (e.g., Site B, such as a second different web site). (Applicant's specification, pages 13-15; and Figures 3-6) Specifically, Site B may provide information to the user of Site A in the form of a separate window or embedded into that text and graphics of Site A itself (e.g., in the Site A website or webpage itself), to purchase products and/or services from Site B. (Applicant's specification, page 8, lines 4-8; page 9, lines 17-18; page 12, lines 13-16; and Figures 1-2 (e.g., information 26 of Figure 2)

Thus, there may be at least two information sources (e.g., such as a first and second server), with information from the first source presented as from the first

source (e.g., such as a web page 20 provided by first server 16), and information from the second source (e.g., such as information 26 provided by second server 24) presented as though that information also originated from the first source (e.g., such as presented in the form of a separate window or an embedded hyperlink URL in web page 20 that provides for the sale of a product and/or service from site B). (Applicant's specification, page 11, line 22 through page 12, line 16; and Figures 1-2)

The first set of information may be related to a purchase transaction and the second offer may be related to the sale of products and/or services that may be related to the subject matter of the first set of information. (Applicant's specification, page 11, line 17 through page 12, line 11; and Figures 1-2) For example, when a specific URL is requested by a user, a first server (e.g., such as Site A) may display a web page and send a request to a second server (e.g., such as an autonomously sent request to Site B without the user's knowledge so that the information 26 of Figure 2 can be displayed to the user as if from webpage 20 of the first server) to provide information that may be related to the subject matter on the web page, as if that information were from the first server. (Applicant's specification, page 11, line 22 through page 12, line 12; and Figures 1-2) The second server may then search a stored database to provide an offer that may be related to the subject matter of Site A and in the general interest of the client user. (Applicant's specification, page 12, line 13-15; and Figure 2) Information may be presented in the form of separate window or an embedded hyperlink URL in the web page that provides for the sale of a produce and/or service from Site B. (Applicant's specification, page 12, line 15-16; and Figure 2)

After confirming a transaction displayed from the first source (e.g., such as confirming a sale made at a first web site), Site B may determine which product and/or service to present to the user and provide the user with the product in the form of a second set of information. (Applicant's specification, page 13, lines 6-7; and Figures 3-4) If an offer for the product is accepted, Site B issues a request to Site A for billing information. (Applicant's specification, page 13, lines 9-13; and Figures 3-4) If Site A does not have complete billing and user information, Site B provides an information request form directly to the user (e.g., presented as though that information also originated from the first source). (Applicant's specification, page 13, lines 15-17; and

Figures 3-4) If the user provides the information, the transaction is recorded. (Applicant's specification, page 13, lines 18-20; and Figures 3-4)

Alternatively, if the user requests further information regarding the product and/or services of Site B, then the user may either be transferred to the Site B home page or information may be transferred to the separate window. (Applicant's specification, page 8, lines 14-17)

Moreover, after confirming a transaction displayed from the first source (e.g., such as confirming a sale made at a first web site), the first source may search and locate in its database and present a second set of information previously obtained from a second source as though originating from the first source so that the data may be displayed to the user without the user's knowledge of an origin of the second set of information (e.g., such as by the web site searching and locating in its database products and/or services that were previously provided by another web site, and then presenting the product and/or services to the user). (Applicant's specification, page 14, line 18 through line 22; and Figure 6)

Then, the transaction data may be forwarded to the second source (e.g., such as forwarding billing and user information that affected the purchase from the first web site to the second web site). (Applicant's specification, page 14, line 7 through line 16; and Figure 5)

VI. GROUNDΣ OF REJECTION

The grounds of rejection involved in this appeal are as follows:

Claims 21-50 are rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,905,73 issued to Ronen et al. (Ronen), in view of U.S. Patent No. 6,141,653 issued to Conklin et al. (Conklin).

VII. ARGUMENT

The Patent Office has rejected claims 21-50 under 35 U.S.C. 103(a) as being obvious over Ronen in view of Conklin.

A. Overview of the Cited References

Ronen

Ronen teaches a credit card billing system for transmitting credit card information in a secure manner to a billing platform so that a user may interact with an Internet Service Provider (ISP) to make purchases over the Internet which will be billed in accordance with the credit card information communicated to the billing platform. (See Ronen Abstract) For example, Internet Access Provider (IAP) 104 provides access to the Internet, and billing platform 108 uses transaction server 109 to interact with users in order to obtain user billing information, such as credit card numbers to charge for transactions. (See Ronen, col. 3, lines 26-65; and col. 4, lines 20-22) In other words, a user at terminal 101 is connected over telephone line 102 to IAP 104, through which access to the Internet 105 is made so that the user may input the URL address of the ISPs with which the user desires to interact. (See Ronen, col. 3, lines 23-29; and Figure 1) These ISPs may provide information, interactive services, or may provide the mechanism through which the user can order non-tangible goods that can be delivered over the Internet to the user. (See Ronen, col. 3, lines 29-32) Moreover, one or more ISPs may provide to the user information, interactive services, and mechanisms by which the user may complete one or more transactions. (See Ronen, col. 3, lines 26-44; col. 5, lines 45-52; col. 6 line 52 through col. 7 line 14; and Figures 1 and 2) IAP 104 may route requests to ISPs, receive responses from ISPs and forward queries to the user as to whether the user wants more chargeable ISP services, by using the temporary IP address of the user, by passing information from the ISPs to the user. (See Ronen, col. 8, line 22; and Figure 2)

Ronen describes billing platform 108 using transaction server 109 to interact with the user in order to obtain user billing information, such as credit card numbers, to charge for transactions. (See Ronen, col. 4, lines 24-25) Billing platform 108 obtains billing information, authorizes purchases, and charges accounts. (See Ronen, col. 4, lines 20-39) Thus, although Ronen teaches information is obtained by a user from ISPs, Ronen does not teach or suggest that information identifying a transaction to be made is obtained from IAP 104. (See Ronen, col. 3, lines 22 through col. 4, lines 20; and Figure 1) Moreover, Ronen does not teach or suggest that information identifying a

transaction obtained from an ISP is displayed as if originating from IAP 104. (See Ronen, col. 3, lines 22 through col. 4, lines 20; and Figure 1)

Conklin

Conklin teaches multi-variate negotiations over a network to a secure system to create and administer a community between participants, such as buyers and sellers, that allows a participant to search and evaluate seller information, propose and negotiate orders and counter offers. (See Conklin Abstract) Moreover, Conklin teaches secure databases, search engines, and other tools for use by the sponsor, which enable the sponsor to define the terms of community participation, establish standards, help promote the visibility of participating companies, monitor activity, collect fees, and promote successes. (see Conklin Abstract) For example, Conklin discloses video conferencing and other multi-media techniques added to the multi-variate negotiations to increase visibility of participants. (See Conklin, paragraph 18, lines 18-37) Thus, although Conklin teaches negotiations hosted by a secure server over a network and promoting the visibility of participating companies and participants, Conklin does not teach or suggest that information identifying a transaction obtained from one source is displayed as if originating from another source. (See Conklin Abstract; and Figure 1h)

B. Errors of Law and Fact

1) Claims Rejected Under 35 U.S.C. §103(a)

Claims 21-50 are rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,905,73 issued to Ronen et al. (Ronen), in view of U.S. Patent No. 6,141,653 issued to Conklin et al. (Conklin).

Claims 21-29

Claims 21-29 (as claims 22 through 29 depend from claim 21) are not obvious over Ronen in view of Conklin for at least the reason that the cited references do not teach or suggest “obtaining a first set of electronic information to be displayed to a user from a first source on a network, wherein the first set of electronic information comprises information identifying a first transaction to be made; . . . requesting a second set of electronic information to be displayed to the user from the second source

on the network, . . . providing data to display to the user a visual representation of the second set of electronic information as though originating from the first source," as required by independent claim 21. To render a claim obvious, all elements of that claim must be taught or suggested by at least one properly combined reference.

In the Patent Office's rejection of claim 21, the Patent Office identifies Internet Access Provider (IAP) 104 of Ronen as a first source of a first set of electronic information to be displayed to a user, and Internet Service Provider (ISP) 106 as a second source of electronic information to be displayed to a user as though originating from a first source. (See Final Office Action, page 3, second paragraph)

First, Ronen does not teach or suggest that IAP 104 is a source of information identifying a transaction to be made. Instead, Ronen discloses that IAP 104 assigns a user's computer a temporary IP address, and using that IP address provides a conduit through which user access to the Internet is provided. (See Ronen, col. 3, lines 25-26) For example, Ronen describes that a user at terminal 101 is connected over telephone line 102 to IAP 104, through which access to the Internet 105 is made so that the user may input the URL address of the ISPs with which the user desires to interact. (See Ronen, col. 3, lines 23-29; and Figure 1) These ISPs may provide information, interactive services, or may provide the mechanism through which the user can order non-tangible goods that can be delivered over the Internet to the user. (See Ronen, col. 3, lines 29-32; col. 5, lines 45-52; col. 6 line 52 through col. 7 line 14; and Figure 2) IAP 104 may route requests to ISPs, receive responses from ISPs and forward queries to the user as to whether the user wants more chargeable ISP services, by using the temporary IP address of the user, by passing information from the ISPs to the user, but is not a web site and does not offer goods or services for purchase. (See Ronen, col. 6 line 52 through col. 7 line 14; and Figure 2)

Specifically, Ronen teaches that electronic information identifying transactions, such as the sales of goods or services, is displayed to the user from ISP that the user selects by entering a URL. (See Ronen, col. 3, lines 26-32) Thus, IAP 104 provides access to the Internet, such as by being a conduit through which transmissions from all ISPs to the user travel, but is not taught or suggested as a source of information identifying a

transaction to be made. (See Ronen, col. 3, lines 25-65, and 45-52) In addition, data can not be display to the user as though originating from IAP 104 because data is displayed to the user as though originating from the ISPs, while IAP 104 is a conduit for the ISP data.

Next, Applicant points out that in the Patent Office's Final Office Action, the Patent Office asserts that Ronen teaches "providing data to display to the user without the user's knowledge of an origin of the second set of information visual representation of the second set of electronic information as though originating from the first source." (See Final Office Action, page 3, second paragraph) However, this quote tends to show that the Patent Office has misinterpreted the Applicant's claims. Specifically, claim 21 requires "providing data to display to the user a visual representation of the second set of electronic information as though originating from the first source." In the Final Office Action, the Patent Office replaces this limitation in its argument with "without the user's knowledge of an origin of the second set of information." Thus, although claim 21 requires that information from one source be provided as though it were from another source, the Patent Office argues that the references teach that the user does not know the origin of the second set of information. The Board should appreciate that if the second set of information is provided as though originating from the first source (e.g., as required by claim 21), then the user will know of a source of the second set of information, regardless of whether or not that source is the actual source or another source. Thus, transferring information to a user from an autonomous source does not teach providing data to display to a user a second set of electronic information from a second source, as though that information were originating from a first source. Therefore, teaching that information is displayed without the user's knowledge of an origin of the second set of information, does not teach claim 21.

Consequently, the Patent Office has not identified and Applicant is unable to find any teaching or suggestion in Ronen of obtaining a first set of electronic information to be displayed to a user from a first source on a network, and requesting a second set of electronic information, where a visual representation of the second set of electronic information is to be displayed as though originating from the first source, as required by independent claim 21.

Second, the Patent Office has not identified and Applicant is unable to find any teaching or suggestion in Conklin that accounts for the limitations of independent claim 21 identified above. Specifically, in the Patent Office's Final Office Action, while addressing claim 21 with Conklin, the Patent Office asserts that "it is obvious to realize that transferring information to a user from autonomous source is well-known in order to keep sells autonomous." [sic] (See Final Office Action, page 3, last paragraph) Again, this assertion is based on the Patent Office's misinterpretation that "providing data to display to the user without the user's knowledge of an origin of the second set of information visual representation of the second set of electronic information as though originating from the first source," reads on claim 21's "providing data to display to the user a visual representation of the second set of electronic information as though originating from the first source." Hence, for the same reason described above for Ronen, an autonomous source does not teach claim 21.

Moreover, Conklin teaches secure databases, search engines, and other tools for use by the sponsor (e.g., such as provided by a secure Internet-based sales system), which enable the sponsor to define the terms of community participation, establish standards, help promote the visibility of participating companies, monitor activity, collect fees, and promote successes. (see Conklin Abstract) For example, Conklin discloses video conferencing and other multi-media techniques added to the multi-variate negotiations to increase visibility of participants. (See Conklin, paragraph 18, lines 18-37) Thus, although Conklin teaches negotiations hosted by a secure server over a network and promoting the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold), Conklin does not describe or suggest sales from an "autonomous source" of information. (See Conklin Abstract) For example, negotiating, and promoting visibility of companies and participants teach that a user is viewing information from a known source. Consequently, neither does Conklin teach or suggest that information identifying a transaction obtained from one source is displayed as if originating from another source. (See Ronen, col. 3, lines 22 through col. 4, lines 20; and Figure 1)

Specifically, Applicant traverses the Patent Office's assertion "it is obvious to realize that transferring information to a user from autonomous source is well-known in order to keep sells autonomous,"[sic] under MPEP § 2144.03, and requests that the Patent Office cite a reference in support of that position.

Hence, Applicant requests that the Board overturn the rejection of claims 21-29 as being unpatentable over Ronen in view of Conklin because: (1) Ronen fails to teach providing data to display to a user a representation of a set of information from a second source as though originating from a first source; (2) Conklin fails to teach that same limitation; (3) Applicant traverses the Patent Office's assertion that Conklin teaches that "transferring information to a user from an autonomous source is well-known"; and (4) if Conklin or Ronen did teach that the user did not know the origin of the data or that the data was from an autonomous source, such a limitation would not teach the above-cited limitation of independent claim 21.

In addition, claim 21 is not obvious over Ronen in view of Conklin for at least the reason that the cited references do not teach or suggest "accepting a transaction authorization directed to the first source for the second transaction," as required by dependent claim 21. As noted above, Ronen teaches that IAP 104 is a conduit for user communication with various ISPs. Ronen teaches that the user may input the URL address of the ISPs with which the user desires to interact. (See Ronen, col. 3, lines 23-29; and Figure 1) However, Ronen does not teach accepting a transaction authorization directed to the first source for the second transaction, where the second transaction is to be displayed to the user from the second source as though originating from the first source.

Similarly, as described above, Conklin teaches a secure system for multi-variate negotiations over a network that promotes the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and teaches visibility of participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold). (See Conklin Abstract) Conklin's negotiating, and promoting visibility of companies and participants teaches that a user is viewing information from a known source. However, Conklin does not

teach accepting a transaction authorization directed to the first source for the second transaction, where the second transaction is to be displayed to the user from the second source as though originating from the first source.

Hence, for at least this additional reason, Applicant requests that the Board overturn the rejection of independent claim 21 as being obvious over Ronen in view of Conklin.

Claim 23

In addition, claim 23 (as claim 23 depends from claim 21) is not obvious over Ronen in view of Conklin for at least the reason that the cited references do not teach or suggest “autonomously communicating with the second source without the user’s knowledge,” as required by dependent claim 23. As noted above with respect to claim 21, Ronen teaches that IAP 104 is a conduit for user communication with various ISPs, but does not teach or suggest autonomously communicating with a source without a user’s knowledge. Instead, Ronen teaches that the user may input the URL address of the ISPs with which the user desires to interact. (See Ronen, col. 3, lines 23-29; and Figure 1)

Conklin teaches a secure system for multi-variate negotiations over a network that promotes the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and teaches visibility of participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold). (See Conklin Abstract) However, Conklin does not teach or suggest autonomously communicating without a user’s knowledge, as described above with respect to claim 21 (e.g., see the argument regarding the as though originating from the first source limitation of claim 21) For example, it would be necessary for the user to know of such communication with a source in order to negotiate, and promote visibility of companies and participants. (See Conklin Abstract)

Hence, for at least this second reason, Applicant requests that the Board overturn the rejection of dependent claim 23 as being obvious over Ronen in view of Conklin.

Claim 24

In addition, claim 24 (as claim 24 depends from claim 21) is not obvious over Ronen in view of Conklin for at least the reason that the cited references do not teach or suggest “a request to the user for additional transaction data to effect a sale of a second product or service,” as required by dependent claim 24. As described above to address independent claim 21, Ronen teaches that IAP 104 is a conduit for user communication with various ISPs. Ronen teaches that the user may input the URL address of the ISPs with which the user desires to interact. (See Ronen, col. 3, lines 23-29; and Figure 1) However, Ronen does not teach that a second set of electronic information to be displayed to the user from the second source as though originating from the first source includes a request to the user for additional transaction data to effect a sale of a second product or service.

Similarly, as described above to address independent claim 21, Conklin teaches a secure system for multi-variate negotiations over a network that promotes the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and teaches visibility of participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold). (See Conklin Abstract) Conklin’s negotiating, and promoting visibility of companies and participants teaches that a user is viewing information from a known source. However, Conklin does not teach that a second set of electronic information to be displayed to the user from the second source as though originating from the first source comprises a request to the user for additional transaction data to effect a sale of a second product or service.

Hence, for at least this additional reason, Applicant requests that the Board overturn the rejection of independent claim 24 as being obvious over Ronen in view of Conklin.

Claim 25

In addition, claim 25 (as claim 25 depends from claim 21) is not obvious over Ronen in view of Conklin for at least the reason that the cited references do not teach

or suggest “obtaining a third set of electronic information to be displayed to the user from the second source as though originating from the first source, wherein the third set of electronic information comprises billing and shipping information to be confirmed by the user,” as required by dependent claim 25.

As described above to address independent claim 21, Ronen teaches that IAP 104 is a conduit for user communication with various ISPs, but does not teach or suggest a third set of electronic information to be displayed to the user from the second source as though originating from the first source. Instead, Ronen teaches that the user may input the URL address of the ISPs with which the user desires to interact. (See Ronen, col. 3, lines 23-29; and Figure 1) Moreover, Ronen does not teach that a third set of electronic information to be displayed to the user from the second source as though originating from the first source comprises billing and shipping information to be confirmed by the user.

Similarly, as described above to address independent claim 21, Conklin teaches a secure system for multi-variate negotiations over a network that promotes the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and teaches visibility of participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold). (See Conklin Abstract) However, Conklin does not teach or suggest a third set of electronic information to be displayed to the user from the second source as though originating from the first source. Instead, Conklin’s negotiating, and promoting visibility of companies and participants teaches that a user is viewing information from a known source. Moreover, Conklin does not teach that a third set of electronic information to be displayed to the user from the second source as though originating from the first source comprises billing and shipping information to be confirmed by the user. Applicant traverses that Conklin teaches an autonomous source, and even if Conklin did teach such a source, as noted above Conklin teaches that communication with such a source would be with the user’s knowledge of that source.

Hence, for at least this additional reason, Applicant requests that the Board overturn the rejection of independent claim 25 as being obvious over Ronen in view of Conklin.

Claim 29

In addition, claim 29 (as claim 29 depends from claim 21) is not obvious over Ronen in view of Conklin for at least the reason that the cited references do not teach or suggest accepting a transaction authorization directed to the first source for the second transaction, wherein the transaction authorization comprises “an explicit authorization to order a second product or service,” as required by dependent claim 29. As described above to address independent claim 21, Ronen teaches that IAP 104 is a conduit for user communication with various ISPs. Ronen teaches that the user may input the URL address of the ISPs with which the user desires to interact. (See Ronen, col. 3, lines 23-29; and Figure 1) However, Ronen does not teach a transaction authorization directed to the first source for the second transaction, wherein the transaction authorization comprises an explicit authorization to order a second product or service to be displayed to the user from the second source as though originating from the first source.

Similarly, as described above to address independent claim 21, Conklin teaches a secure system for multi-variate negotiations over a network that promotes the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and teaches visibility of participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold). (See Conklin Abstract) Conklin’s negotiating, and promoting visibility of companies and participants teaches that a user is viewing information from a known source. However, Conklin does not teach a transaction authorization directed to the first source for the second transaction, wherein the transaction authorization comprises an explicit authorization to order a second product or service to be displayed to the user from the second source as though originating from the first source.

Hence, for at least this additional reason, Applicant requests that the Board overturn the rejection of independent claim 29 as being obvious over Ronen in view of Conklin.

Claims 30-36

Claims 30-36 (as claims 31-36 depend from claim 30) are not obvious over Ronen in view of Conklin for at least the reason that the cited references do not teach or suggest "code which when executed; obtains from a first source on a network a first set of information to be displayed to a user, . . . obtains from the second source on the network, data to display to the user a visual representation of a second set of information identifying a transaction as though originating from the first source; . . . wherein notifying a second source and obtaining from the second source comprise autonomously communicating with the second source without the user's knowledge", as required by independent claim 30. To render a claim obvious, all elements of that claim must be taught or suggested by at least one properly combined reference.

The Patent Office relies upon the same sections of the cited references to address independent claim 30, as described above to address independent claim 21. Thus, an analogous discussion to that made above with respect to as though originating from the first source limitation of independent claim 21, applies here as well.

Hence, for at least this first reason, Applicant requests that the Board overturn the rejection of claims 30-36 as being unpatentable over Ronen in view of Conklin.

Second, claim 30 includes "wherein notifying a second source and obtaining from the second source comprise autonomously communicating with the second source without the user's knowledge." As noted above with respect to claim 21, Ronen teaches that IAP 104 is a conduit for user communication with various ISPs, but does not teach or suggest autonomously communicating with a source without a user's knowledge. Instead, Ronen teaches that the user may input the URL address of the ISPs with which the user desires to interact. (See Ronen, col. 3, lines 23-29; and Figure 1)

Next, Conklin teaches a secure system for multi-variate negotiations over a network that promotes the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and teaches visibility of participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold). (See Conklin Abstract) However, Conklin does not

teach or suggest autonomously communicating without a user's knowledge, as described above with respect to claim 21 (e.g., see the argument regarding the as though originating from the first source limitation of claim 21) For example, it would be necessary for the user to know of such communication with a source in order to negotiate, and promote visibility of companies and participants. (See Conklin Abstract)

Hence, for at least this second reason, Applicant requests that the Board overturn the rejection of independent claims 30-36 as being obvious over Ronen in view of Conklin.

Claim 31

In addition, claim 31 (as claim 31 depends from claim 30) is not obvious over Ronen in view of Conklin for at least the reason that the cited references do not teach or suggest code which when executed obtains from the second source on the network, data to display to the user a visual representation of a second set of information identifying a transaction as though originating from the first source, and code to accept a user transaction authorization directed to the first source for the second transaction," as required by dependent claim 31. As described above to address independent claim 21, Ronen teaches that IAP 104 is a conduit for user communication with various ISPs. Ronen teaches that the user may input the URL address of the ISPs with which the user desires to interact. (See Ronen, col. 3, lines 23-31; and Figure 1) However, Ronen does not teach code to accept a user transaction authorization directed to the first source for the second transaction, where the second transaction is to be displayed to the user from the second source as though originating from the first source.

Similarly, as described above to address independent claim 21, Conklin teaches a secure system for multi-variate negotiations over a network that promotes the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and teaches visibility of participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold). (See Conklin Abstract) Conklin's negotiating, and promoting visibility of companies and participants teaches that a user is viewing information from a known source. However, Conklin does not teach code to accept a user transaction authorization directed to the

first source for the second transaction, where the second transaction is to be displayed to the user from the second source as though originating from the first source.

Hence, for at least this additional reason, Applicant requests that the Board overturn the rejection of independent claim 31 as being obvious over Ronen in view of Conklin.

Claim 33

In addition, claim 33 (as claim 33 depends from claim 30) is not obvious over Ronen in view of Conklin for at least the reason that the cited references do not teach or suggest “wherein the second set of information comprises information related to the first set of information” as required by dependent claim 33. As described above to address independent claim 21, Ronen teaches that IAP 104 is a conduit for user communication with various ISPs. Ronen teaches that the user may input the URL address of the ISPs with which the user desires to interact. (See Ronen, col. 3, lines 23-29; and Figure 1) However, Ronen does not teach that a second set of electronic information to be displayed to the user from the second source as though originating from the first source comprises information related to the first set of information.

Similarly, as described above to address independent claim 21, Conklin teaches a secure system for multi-variate negotiations over a network that promotes the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and teaches visibility of participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold). (See Conklin Abstract) Conklin's negotiating, and promoting visibility of companies and participants teaches that a user is viewing information from a known source. However, Conklin does not teach that a second set of electronic information to be displayed to the user from the second source as though originating from the first source comprises information related to the first set of information.

Hence, for at least this additional reason, Applicant requests that the Board overturn the rejection of independent claim 33 as being obvious over Ronen in view of Conklin.

Claims 37-41

Claims 37-41 (as claims 38-41 depend from claim 37) are not obvious over Ronen in view of Conklin for at least the reasons that the cited references do not teach or suggest “a machine-readable medium having data therein which when accessed by a processor causes a computer to obtain a first set of information from a first source on a network, wherein the first set of information comprises information identifying a first product or service to be purchased; display the first set of information to a user as provided from a first source; . . . obtain a second set of information from a second source on the network, without further user action and without the user’s knowledge of the obtaining a second set of information, . . . display the second set of information to a user provided from the first source”, as required by independent claim 37.

The Patent Office relies upon the same sections of the cited references to address independent claim 37, as described above to address independent claim 21. Thus, an analogous discussion to that made above with respect to displaying the second set of information to a user as provided from the first source limitation of independent claim 21, applies here as well. Hence, for at least this first reason, Applicant requests that the Board overturn the rejection of independent claim 37-41 as being unpatentable over Ronen in view of Conklin.

Second, claim 37 includes data which when accessed by a processor causes a computer to “obtain a second set of information from a second source on the network, without further user action and without the user’s knowledge of the obtaining a second set of information.” An analogous discussion to that made above with respect to independent claim 30 and “anonymously communicating with the second source without the user’s knowledge,” applies here as well. Hence, for at least this second reason, Applicant requests that the Board overturn the rejection of independent claim 37-41 as being obvious over Ronen in view of Conklin.

Moreover, claim 37 requires that the second set of information be obtained “without further user action.” Similarly, as described above to address independent claim 21, Ronen teaches that a user enters a URL and Conklin teaches a system for negotiation and increased visibility of companies and participants. Consequently, the

Patent Office has not identified and Applicant is unable to find any teaching or suggestion of obtain a second set of information from a second source on the network, without further user action in Ronen or Conklin. Hence, for at least this third reason, Applicant requests that the Board overturn the rejection of independent claim 37-41 as being obvious over Ronen in view of Conklin.

Claim 38

In addition, claim 38 (as claim 38 depends from claim 37) is not obvious over Ronen in view of Conklin for at least the reason that the cited references do not teach or suggest a machine-readable medium having data therein which when accessed by a processor causes a computer to obtain a second set of information from a second source on the network, without further user action and without the user's knowledge of the obtaining a second set of information, display the second set of information to a user provided from the first source, wherein obtaining the second set of information comprises storing a previously transmitted second set of information in a database at the first source," as required by dependent claim 38. As described above to address independent claim 21, Ronen teaches that IAP 104 is a conduit for user communication with various ISPs. Ronen teaches that the user may input the URL address of the ISPs with which the user desires to interact. (See Ronen, col. 3, lines 23-38; and Figure 1) However, Ronen does not teach a machine-readable medium having data therein which when accessed by a processor causes a computer to display the second set of information to a user provided from the first source, wherein obtaining the second set of information comprises storing a previously transmitted second set of information in a database at the first source.

Similarly, as described above to address independent claim 21, Conklin teaches a secure system for multi-variate negotiations over a network that promotes the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and teaches visibility of participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold). (See Conklin Abstract) Conklin's negotiating, and promoting visibility of companies and participants teaches that a user is viewing information from a known source. However, Conklin does not teach a machine-readable medium having data therein which when

accessed by a processor causes a computer to display the second set of information to a user provided from the first source, wherein obtaining the second set of information comprises storing a previously transmitted second set of information in a database at the first source.

Hence, for at least this additional reason, Applicant requests that the Board overturn the rejection of independent claim 38 as being obvious over Ronen in view of Conklin.

Claim 39

In addition, claim 39 (as claim 39 depends from claim 37) is not obvious over Ronen in view of Conklin for at least the reason that the cited references do not teach or suggest a machine-readable medium having data therein which when accessed by a processor causes a computer to identify the second set of information based on one of a user selection action and an association with the first set of information, where the second set of information is displayed to a user provided from the first source,” as required by dependent claim 39. As described above to address independent claim 21, Ronen teaches that IAP 104 is a conduit for user communication with various ISPs. Ronen teaches that the user may input the URL address of the ISPs with which the user desires to interact. (See Ronen, col. 3, lines 23-39; and Figure 1) However, Ronen does not teach a machine-readable medium having data therein which when accessed by a processor causes a computer to identify the second set of information based on one of a user selection action and an association with the first set of information, where the second set of information is displayed to a user provided from the first source.

Similarly, as described above to address independent claim 21, Conklin teaches a secure system for multi-variate negotiations over a network that promotes the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and teaches visibility of participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold). (See Conklin Abstract) Conklin's negotiating, and promoting visibility of companies and participants teaches that a user is viewing information from a known source. However, Conklin does not teach a machine-readable medium having data therein which when

accessed by a processor causes a computer to identify the second set of information based on one of a user selection action and an association with the first set of information, where the second set of information is displayed to a user provided from the first source

Hence, for at least this additional reason, Applicant requests that the Board overturn the rejection of independent claim 39 as being obvious over Ronen in view of Conklin.

Claim 40

In addition, claim 40 (as claim 40 depends from claim 37) is not obvious over Ronen in view of Conklin for at least the reason that the cited references do not teach or suggest a machine-readable medium having data therein which when accessed by a processor causes a computer to display the first set of information to a user as provided from a first source; and display the second set of information to a user provided from the first source, where the second set of information is displayed in one of a pop-up screen, a banner advertisement, a link to a source, and an embedded display of information embedded into the text and graphics of the displayed first set of information,” as required by dependent claim 40. As described above to address independent claim 21, Ronen teaches that IAP 104 is a conduit for user communication with various ISPs. Ronen teaches that the user may input the URL address of the ISPs with which the user desires to interact. (See Ronen, col. 3, lines 23-40; and Figure 1) However, Ronen does not teach a machine-readable medium having data therein which when accessed by a processor causes a computer to display the first set of information to a user as provided from a first source; and display the second set of information to a user provided from the first source, where the second set of information is displayed in one of a pop-up screen, a banner advertisement, a link to a source, and an embedded display of information embedded into the text and graphics of the displayed first set of information.

Similarly, as described above to address independent claim 21, Conklin teaches a secure system for multi-variate negotiations over a network that promotes the visibility of participating companies (e.g., such as sources of information identifying goods and

services to be sold using the system) and teaches visibility of participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold). (See Conklin Abstract) Conklin's negotiating, and promoting visibility of companies and participants teaches that a user is viewing information from a known source. However, Conklin does not teach a machine-readable medium having data therein which when accessed by a processor causes a computer to display the first set of information to a user as provided from a first source; and display the second set of information to a user provided from the first source, where the second set of information is displayed in one of a pop-up screen, a banner advertisement, a link to a source, and an embedded display of information embedded into the text and graphics of the displayed first set of information.

Hence, for at least this additional reason, Applicant requests that the Board overturn the rejection of independent claim 40 as being obvious over Ronen in view of Conklin.

Claim 41

In addition, claim 41 (as claim 41 depends from claim 37) is not obvious over Ronen in view of Conklin for at least the reason that the cited references do not teach or suggest a machine-readable medium having data therein which when accessed by a processor causes a computer to display the first set of information to a user as provided from a first source; and display the second set of information to a user provided from the first source, wherein said first source is a first information window at a first system address and said second source is at a second system," as required by dependent claim 41. As described above to address independent claim 21, Ronen teaches that IAP 104 is a conduit for user communication with various ISPs. Ronen teaches that the user may input the URL address of the ISPs with which the user desires to interact. (See Ronen, col. 3, lines 23-41; and Figure 1) However, Ronen does not teach a machine-readable medium having data therein which when accessed by a processor causes a computer to display the first set of information to a user as provided from a first source; and display the second set of information to a user provided from the first source, wherein said first source is a first information window at a first system address and said second source is at a second system.

Similarly, as described above to address independent claim 21, Conklin teaches a secure system for multi-variate negotiations over a network that promotes the visibility of participating companies (e.g., such as sources of information identifying goods and services to be sold using the system) and teaches visibility of participants (e.g., such as sources of information identifying a purchasers or goods and services to be sold). (See Conklin Abstract) Conklin's negotiating, and promoting visibility of companies and participants teaches that a user is viewing information from a known source. However, Conklin does not teach a machine-readable medium having data therein which when accessed by a processor causes a computer to display the first set of information to a user as provided from a first source; and display the second set of information to a user provided from the first source, wherein said first source is a first information window at a first system address and said second source is at a second system.

Hence, for at least this additional reason, Applicant requests that the Board overturn the rejection of independent claim 41 as being obvious over Ronen in view of Conklin.

Claims 42-44

Claims 42-44 (as claims 43 and 44 depend from claim 42) are not obvious over Ronen in view of Conklin for at least the reason that the cited references do not teach or suggest "code which when executed obtains from an associated first source a first set of information to be displayed to a user, wherein the first set of information comprises information identifying a first transaction; accepts transaction data from the user to affect the first transaction; . . . obtains from the associated second source, data to display to the user a visual representation of a second set of information identifying a second transaction; and forwards the transaction data to the second source", as required by independent claim 42.

The Patent Office uses the same sections of the cited references noted above with respect to independent claim 21 to address the limitations quoted above for independent claim 42. Thus, the discussion to that made above with respect to a first set of electronic information to be displayed to a user from a first source of independent claim 21, should be considered here as well.

Moreover, claim 42 requires “code which when executed . . . obtains from the associated second source, data to display to the user a visual representation of a second set of information identifying a second transaction; and forwards the transaction data to the second source.” Thus, according to claim 42, for example, the transaction data that affected the first transaction (e.g., such as billing and user information provided when purchasing a good or service from a first web site) may be forwarded to the second source (e.g., such as a second web site notified about the first purchase and providing data for a second good or service to be purchased for display to the user).

Ronen discloses billing platform 108 using transaction server 109 to interact with the user to obtain user billing information, such as credit card numbers, to charge for transactions. (See Ronen, col. 4, lines 24-25) Thus, billing platform 108 obtains billing information, authorizes purchases, and charges accounts, but is not a source of electronic information identifying a transaction to be made. (See Ronen, col. 4, lines 20-39) Thus, Ronen teaches displaying data to a user from various ISPs to identify purchases of goods or services to be made by charging accounts in accordance with billing information stored on a billing platform (e.g., billing platform 108).

However, the Patent Office has not identified and Applicant is unable to find any teaching or suggestion in Ronen of forwarding transaction data from a user used to affect a first transaction to a second source, where the first transaction is displayed to the user from a first source and data is obtained from the second source to display a second transaction to the user. Moreover, the Patent Office has not identified and Applicant is unable to find any teaching or suggestion in Conklin that provides for the above quoted limitation of claim 42. Hence, Applicant requests that the Board overturn the rejection of independent claim 42-44 as being obvious over Ronen in view of Conklin.

Claims 45-50

Claims 45-50 (as claims 46-50 depend from claim 45) are not obvious over Ronen in view of Conklin for at least the reason that the cited references do not teach or suggest “providing a first set of information to be displayed to a user, wherein the first set of information comprises information identifying a first transaction associated with

a first source; . . . providing data to be displayed to the user without the user's knowledge of an origin of the second set of information and that contains a second set of information obtained from a second source and that identifies a second transaction," as required by independent claim 45.

In addressing claim 45, the Patent Office uses the same sections of the cited references as addressed above with respect to independent claim 21. Therefore, the discussion made above with respect to a first set of electronic information to be displayed to a user from a first source of claim 21, should be considered here as well.

Moreover, claim 45 requires "providing data to be displayed to the user without the user's knowledge of an origin of the second set of information." As described above with respect to independent claims 21, 30 and 37, the Patent Office has not identified and Applicant is unable to find any teaching in Ronen or Conklin that supports that the user does not know of the origin of a set of information displayed.

Similarly, as described above with respect to independent claims 21, 30 and 37, the Patent Office has not identified and Applicant is unable to find any teaching or suggestion in Ronen or Conklin that the user does not have knowledge of "an origin" of a set of information displayed. Again, Applicant traverses that Conklin teaches an autonomous source. Moreover, Applicant asserts that in Conklin even if a source existed, the user would be aware that there was "an origin" of the information, as such knowledge would be necessary for the user to negotiate and for increased visibility of companies and participants. Hence, Applicant requests that the Board overturn the rejection of independent claim 45-50 as being obvious over Ronen in view of Conklin.

Claim 47

In addition, claim 47 (as claim 47 depends from claim 45) is not obvious over Ronen in view of Conklin for at least the reason that the cited references do not teach or suggest "notifying an associated second source of the first transaction comprising autonomously communicating with the second source without the user's knowledge," as required by dependent claim 47. An analogous discussion to that provided above with respect to claim 23, applies here as well.

Hence, for at least this second reason, Applicant requests that the Board overturn the rejection of dependent claim 47 as being obvious over Ronen in view of Conklin.

Claim 48

In addition, claim 48 (as claim 48 depends from claim 45) is not obvious over Ronen in view of Conklin for at least the reason that the cited references do not teach or suggest providing data to be displayed to the user without the user's knowledge of an origin of the second set of information and that contains a second set of information obtained from a second source and that identifies a second transaction, wherein the second set of information comprises a previously stored second set of information in a database at the first source," as required by dependent claim 48. An analogous discussion to that provided above with respect to claim 38, applies here as well.

Hence, for at least this second reason, Applicant requests that the Board overturn the rejection of dependent claim 48 as being obvious over Ronen in view of Conklin.

Claim 49

In addition, claim 49 (as claim 49 depends from claim 45) is not obvious over Ronen in view of Conklin for at least the reason that the cited references do not teach or suggest providing data to be displayed to the user without the user's knowledge of an origin of the second set of information and that contains a second set of information obtained from a second source and that identifies a second transaction, wherein the data to be displayed comprises data to be displayed as though the second set of information originated from the first source," as required by dependent claim 49.

An analogous discussion to that provided above with respect to claim 21, applies here as well. Hence, for at least this second reason, Applicant requests that the Board overturn the rejection of dependent claim 49 as being obvious over Ronen in view of Conklin.

VIII. CONCLUSION AND RELIEF

Based on the foregoing, Applicant requests that the Board overturn the Examiner's rejection of all pending claims and hold that all of the claims of the present application are allowable.

Respectfully submitted,

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Nadya Gordon
Nadya Gordon

11/10/04
Date

IX. APPENDIX A

The claims involved in this Appeal are as follows:

21. (Previously Added) A method comprising:
obtaining a first set of electronic information to be displayed to a user from a first source on a network, wherein the first set of electronic information comprises information identifying a first transaction to be made;
accepting transaction data to effect the first transaction;
routing the transaction data to a second source;
requesting a second set of electronic information to be displayed to the user from the second source on the network, wherein the second set of electronic information comprises information identifying a second transaction to be made;
providing data to display to the user a visual representation of the second set of electronic information as though originating from the first source; and
accepting a transaction authorization directed to the first source for the second transaction.
22. (Previously Added) The method of claim 21, wherein the transaction authorization comprises a user authorization to share the transaction data with the second source.
23. (Previously Added) The method of claim 21, wherein routing the transaction data comprises autonomously communicating with the second source without the user's knowledge.
24. (Previously Added) The method of claim 21, wherein the transaction authorization comprises a request to the user for additional transaction data to effect a sale of a second product or service.
25. (Previously Added) The method of claim 21, further comprising obtaining a third set of electronic information to be displayed to the user from the second source as though originating from the first source, wherein the third set of electronic information comprises billing and shipping information to be confirmed by the user.

26. (Previously Added) The method of claim 21, wherein the transaction data includes information identifying at least one of a first product or service to be purchased, a method of payments, and billing information.

27. (Previously Added) The method of claim 26, wherein the billing information comprises at least one of a billing address, a user's name, an email address, a method of payment, and billing account information.

28. (Previously Added) The method of claim 26, further comprising the second source:
recording the transaction authorization;
storing the billing information;
and then processing an order to fulfill the transaction authorization for the second transaction to the user.

29. (Previously Added) The method of claim 21, wherein the transaction authorization comprises an explicit authorization to order a second product or service.

30. (Previously Added) A system comprising:
a processor;
a memory coupled to said processor and containing code which when executed;
obtains from a first source on a network a first set of information to be displayed to a user, wherein the first set of information comprises information identifying a first transaction;
accepts transaction data from the user to effect the first transaction;
notifies a second source of the first transaction;
obtains from the second source on the network, data to display to the user a visual representation of a second set of information identifying a transaction as though originating from the first source;
obtains user assent to share the transaction data with the second source;
forwards the transaction data to the second source; and
wherein notifying a second source and obtaining from the second source comprise autonomously communicating with the second source without the user's knowledge.

31. (Previously Added) The system of claim 30, further comprising code to accept a user transaction authorization directed to the first source for the second transaction.
32. (Previously Added) The system of claim 30, further comprising code to accept identification of the second set of information as determined by the second source.
33. (Previously Added) The system of claim 30, wherein the second set of information comprises information related to the first set of information.
34. (Previously Added) The system of claim 30, wherein accepting transaction data to effect the first transaction comprises at least one of a sales transaction, information identifying a product or service to be purchased, and billing information.
35. (Previously Added) The system of claim 30, wherein the notifying, obtaining from the second source, and forwarding the transaction data are to occur in real time.
36. (Previously Added) The system of claim 30, wherein the user assent to share the transaction data with a second source comprises a user selection action.
37. (Previously Added) An article of manufacture comprising:
 - a machine-readable medium having data therein which when accessed by a processor causes a computer to obtain a first set of information from a first source on a network, wherein the first set of information comprises information identifying a first product or service to be purchased;
 - display the first set of information to a user as provided from a first source;
 - accept billing information from the user needed to pay for a sale of the first product or service;
 - obtain a second set of information from a second source on the network, without further user action and without the user's knowledge of the obtaining a second set of information, wherein the second set of information comprises information identifying a second product or service to be purchased;
 - display the second set of information to a user as provided from the first source;
 - accept a purchase authorization directed to the first source for the second product or service, wherein the purchase authorization comprises a user authorization to share the billing information with a second source; and

forward the billing information to the second source.

38. (Previously Added) The article of manufacture of claim 37, wherein obtaining the second set of information comprises storing a previously transmitted second set of information in a database at the first source.

39. (Previously Added) The article of manufacture of claim 37, further comprising data to cause a computer to identify the second set of information based on one of a user selection action and an association with the first set of information.

40. (Previously Added) The article of manufacture of claim 37, wherein the displaying the second set of information comprises displaying the second set of information in one of a pop-up screen, a banner advertisement, a link to a source, and an embedded display of information embedded into the text and graphics of the displayed first set of information.

41. (Previously Added) The article of manufacture of claim 37, wherein said first source is a first information window at a first system address and said second source is at a second system.

42. (Previously Added) A system comprising:

a processor;

a memory coupled to said processor and containing code which when executed obtains from an associated first source a first set of information to be displayed to a user, wherein the first set of information comprises information identifying a first transaction;

accepts transaction data from the user to effect the first transaction;

notifies an associated second source of the first transaction;

obtains from the associated second source, data to display to the user a visual representation of a second set of information identifying a second transaction; and forwards the transaction data to the second source.

43. (Previously Added) The system of claim 42, further comprising code to obtain user assent to share the transaction data with the second source, and wherein notifying an associated second source and obtaining from the associated second source comprise

autonomously communicating with the associated second source without the user's knowledge.

44. (Previously Added) The system of claim 42, further comprising code to receive an actuation means to forward the transaction data to the associated second source in a secure fashion.

45. (Previously Presented) A method comprising:
providing a first set of information to be displayed to a user, wherein the first set of information comprises information identifying a first transaction associated with a first source;
accepting transaction data from the user to effect the first transaction; and
providing data to be displayed to the user without the user's knowledge of an origin of the second set of information and that contains a second set of information obtained from a second source and that identifies a second transaction.

46. (Previously Added) The method of claim 45, further comprising forwarding the transaction data to the second source.

47. (Previously Added) The method of claim 45, further comprising notifying an associated second source of the first transaction comprising autonomously communicating with the second source without the user's knowledge.

48. (Previously Added) The method of claim 45, wherein the second set of information comprises a previously stored second set of information in a database at the first source.

49. (Previously Presented) The method of claim 45, wherein the data to be displayed comprises data to be displayed as though the second set of information originated from the first source.

50. (Previously Added) The method of claim 45, further comprising selecting the second source from a plurality of second sources and selecting the second set of information from a plurality of second sets of information.